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Democracy and Competing Values

WHERE IT IS PRACTISED, DEMOCRACY IS a) NOT THE ONLY principle practised, and b) practised differently from the way it is practised in other places. *If* democracy has a clear meaning and clear requirements – I shall argue that it does – then we should be able to map out the bases on which degrees of democracy are traded off in the name of other values, and with what justification. In attempting to make some inroads into the serious conceptual and empirical problems this topic presents, my point of reference will be the modern nation-state, though the use of the phrase ‘political units’ throughout signals the fact that the argument largely holds for other geographically-defined entities as well.

The perspective adopted is that of the democratic theorist seeking to make sense of key aspects of democratic practice. It is the observer, armed with his or her theory of democracy, who identifies and assesses competing values and possible trade-offs. Many political actors will, of course, want to deny that their most cherished restrictions on democratic outcomes are in fact competing values, or may involve trade-offs. They may protest that for them, and in this place, that is just what democracy means, especially now that democracy has no serious rivals in the global game of political legitimacy. We ought to listen carefully to their arguments, but at the same time be alert to slips into anti-democratic rhetoric and action.

Among modern democratic theorists Dahl has made the most progress with regard to this problem. In his view, three points are crucial: 1) many substantive ideals are in fact subsumed within democratic procedures as preconditions of those procedures; 2) the promotion or defence of any non-preconditional ideals would require a non-democratic procedure, something that is particularly difficult to justify; and 3) in a democracy, we must trust in the people to recognize and defend basic rights (‘The democratic process is a gamble

on the possibilities that a people, in acting autonomously, will learn how to act rightly').¹

Although these conclusions are important and defensible, the scope of Dahl's account is limited. He considers only overtly moral trade-offs (he speaks mostly of 'fundamental rights'); other, perhaps more mundane and practical trade-offs, are also important, not least because they may reflect prior moral trade-offs. Accordingly, I shall distinguish four types of constraint on democracy – natural, systemic, pragmatic and moral. I shall then focus on specific examples of would-be moral constraints on democracy. The conclusion I reach is that, although no overtly moral notions are superior to democracy, different *sorts* of would-be moral constraints require different treatment by democratic theorists; and, that some distinctive types of moral constraint ought sometimes to be accepted (up to a point), but for largely pragmatic reasons.

DEMOCRACY'S MEANING AND REQUIREMENTS

Clearly, one's view of democracy determines how the general problem will be approached. If one sees democracy as essentially contestable, then one has no effective or consistent means of identifying competing values and possible trade-offs. Accordingly, I begin with some general comments to outline my preferred view.

First, it is a standard observation that democracy is a term used so loosely that it may have lost nearly all its meaning. According to Gordon Graham, this process has gone so far that the term 'democracy' in its popular usage has come to mean simply 'the most desirable form of government.'² My own position is that democracy has a clear, single most defensible meaning. Following John May, I define it as 'responsive rule'. Adapting somewhat May's fuller definition, democracy equals 'necessary correspondence between acts of governance

¹ R. A. Dahl, *Democracy and its Critics*, New Haven, Yale University Press, 1989, p. 192.

² G. Graham, 'The Moral Basis of Democracy', *International Journal of Moral and Social Studies*, Vol. 7, No. 2, 1992, p. 91.

and the equally-weighted felt interests of citizens with respect to those acts'. At its core, the responsive rule definition focuses our attention on the extent to which the people get what the people want. Any other definition, I would argue, wrongly builds in extra-democratic values favoured by the definer (often, for example, a preference for indirect representation rather than direct participation). In May's words, this definition distinguishes 'the nature of democracy from the nature of democracy's prerequisites, indicators, by-products, and merits.'³

Secondly, a compelling justification for democracy – or responsive rule – can be built primarily on the principle of political equality. Political equality is the root value of democracy, its metaprinciple. The defence of this view rests upon arguments that: a) there is something fundamentally equal about all people in that they share certain characteristics, such as a capacity for rationality, whatever the extent of their so sharing; b) faced with a need for binding collective decisions, the members of a political unit would accept that decisions which take each member's views equally into account are more likely to be seen as legitimate, and therefore to foster social peace; and c) although politicians or experts may in a sense know our interests better than we do for selected discrete decisions, across a range of relevant issues and people over time we ought to be regarded as the best judges of our own interests.⁴ In short, the reasons behind the fact that we ought to be regarded as political equals justify the definition of democracy in terms of responsiveness.

Thirdly, democracy and constitutionalism are compatible in principle. If responsiveness is to be achieved, there are certain things citizens will (always) need. If democracy has an independent meaning and value, then its persistence is valuable. If its persistence is valuable, then factors essential to its persistence also have value, and ought to be protected even from democratic majorities. This point is now widely accep-

³ J. D. May, 'Defining Democracy', *Political Studies*, Vol. 26, No. 1, 1978, p. 3.

⁴ For a fuller account of the interest-based argument, see M. Saward, 'Democratic Theory and Indices of Democratisation' in D. Beetham (ed.), *Defining and Measuring Democracy*, London, Sage, 1994, pp. 6–24.

ted.⁵ Democracy is 'self-binding', or 'self-limiting'; factors essential to the survival of democracy are properly taken out of majoritarian hands, without diminishing (and in fact enhancing) the character of democracy itself. Briefly, this means that a democratic constitution will specify a) citizen democratic rights, and b) rules and institutions designed to maximize responsiveness. This is not a way to smuggle in what the strict definition pares away. It is an injunction to locate democracy's essential conditions with as much deductive precision as possible.

Fourthly, 'full democracy' is impossible. For example, no constitution contains, or can be expected to contain, only factors linked directly to democracy's clear requirements. All democracies are democracies *somewhere, sometime*. Place, circumstance and history throw up factors more or less unique to single political systems. Put another way, any living democratic system inevitably embodies trade-offs in the name of other values. Our task is to separate the inevitable from the optional, the acceptable from the spurious.

Taking these points on board, we can construct a snapshot view of the requirements of democracy. At the *core* lie mechanisms for the expression of wants on the basis of political equality and rights that make those mechanisms meaningful: free and fair elections, and the right to vote and to stand for office. These mechanisms are essential to the achievement of responsiveness. *Semi-peripheral* are rights which underpin core rights and mechanisms, namely rights to freedom of speech and association. These rights go some way towards fostering responsiveness to preferences which are at least minimally well-informed. More peripheral are rights which are in effect preconditions of core democratic rights, the most important being the right to an adequate education and access to adequate health care provision. This set of rights concerns basic conditions of citizens' well-being and their capacity to participate in public affairs.

Arguments that some increment of democracy should be traded off, or diluted, to achieve a specified value may target

⁵ See in particular J. Elster and R. Slagstad (eds), *Constitutionalism and Democracy*, Cambridge, Cambridge University Press, 1988.

any or each of these requirements, to varying degrees, and for a variety of reasons. We ought to be particularly wary of arguments that core democratic requirements should be traded off in the name of a competing value.

CONSTRAINTS ON DEMOCRACY: A TYPOLOGY

We can identify four general types of constraint on democracy. I do not suggest that the typology is watertight. Indeed, it is the real-world slippages between categories that are most interesting. I suggest that we think of constraints, actual or potential, on democracy as being natural, systemic, pragmatic or moral in character.

Natural constraints. Natural constraints are unavoidable, basic constitutive features of a given political unit. Examples include:

- geographical and demographic factors such as land size and population size, since these affect capacities for face-to-face decision-making;
- what Beetham calls ‘the economy of time’;⁶ proper consideration of political questions requires that not all can participate in their resolution;
- the time lag (inevitable even in the most fortuitous circumstances) between policy decision and implementation;
- the fact that past choices constrain present and future political agendas;
- logical problems in mechanisms for discovering ‘the will of the people’;⁷
- a minimal requirement for internal consistency between different policies pursued at the same time (like tax and welfare policies); and
- more indirect natural constraints arising from the natural resource base of a political unit, since the economic restrictions or opportunities these afford in a given case will restrict

⁶ D. Beetham, ‘The Limits of Democratisation’, in D. Held (ed.), *Prospects for Democracy*, Cambridge, Polity, 1993, pp. 60ff.

⁷ See I. McLean, ‘Mechanisms for Democracy’, in D. Held and C. Pollitt (eds), *New Forms of Democracy*, London, Sage, 1986 pp. 135–57. J. Wolff, ‘Democratic Voting and the Mixed-Motivation Problem’, *Analysis*, Vol. 54, No. 4, pp. 193–96.

choices between different styles of political development.

Various, these considerations represent constraints of place, circumstance and logic.

Systemic constraints. Systemic constraints arise from past practices and established institutions that are human-made but which may appear to be intrinsic (or natural) properties of a given political unit at a certain time. Systemic constraints may appear – or, rather, may be presented as – unavoidable, but in principle they involve more optional choices than natural constraints.

They include:

- various aspects of political culture, including the scope and intensity of religious affiliation and the form of national identity;
- the state of technology and the rate of technological development;
- the degree of organizational complexity in a system; and
- the position and status of a state in the larger system of states.

Particularly important here are constraints of place and circumstance arising from political culture. As facts, these are fixed, so to speak. But as facts, they must be *interpreted* by political leaders and influentials. I will deal with the *interpretation of place and circumstance* when discussing moral constraints below. To take another example, it is arguable that political and administrative complexity – structural, functional and technical – in modern states gives rise to layers of administrative non-responsiveness, increases the role of ‘experts’ of one sort or another over and above citizens and their representatives, and involves much delegation of political responsibility to unelected officials with ambiguous accountability.

Moreover, systemic constraints can be viewed as frozen moral constraints. Widespread adherence within a political unit to a particular religious doctrine is a deep-rooted systemic fact that reflects a myriad of historical moral choices. Similarly, demands for state provision of welfare lead to state complexity; after, that complexity appears as a non-optional feature of the system, even (perhaps especially) if the form of provision changes. But at some point, choices – moral choices

– were made to bring about complexity, even as an unintended (or ill-thought-out) consequence of pursuing certain moral paths.⁸

Pragmatic constraints. Natural constraints, which as we have seen incorporate logical constraints, are timeless and unavoidable. Systemic constraints are 'synthetic' in the sense that they are human-made, and they are more time-specific, requiring us to look back to historical features of given political units (and to present interpretations of that history). Pragmatic constraints concern present trade-offs of democracy which (or so it is argued) are necessary to produce political stability and predictability, taking natural and systemic factors into account. A flavour of the difference between systemic and pragmatic constraints can be gleaned from Lipset's comment that: 'Cultural factors deriving from varying histories are extraordinarily difficult to manipulate. Political institutions – including electoral systems and constitutional arrangements – are more easily changed.'⁹

Examples of pragmatic constraints – the core stuff of political science writing on the development of democratic systems – include:¹⁰

- the perceived need for institutions of consensus where democracy involves considerable conflict;
- the concentration of power in few hands in the name of governability where democracy requires widespread participation; and
- the need for effectiveness in order to generate demo-

⁸ For some theorists, such as Danilo Zolo, the constraints of complexity are so pervasive that we must revise democratic theory from a position of ultra-realism that would have made even Joseph Schumpeter blush. See D. Zolo, *Democracy and Complexity*, Cambridge, Polity, 1992. For others, like Dahl when he writes of 'Polyarchy II' and Beetham as he pursues a 'democratic audit' of the British political system, choices to democratize seemingly frozen properties of systems are available to us: there are, so to speak, moral niches in the complex, partisan state. See Dahl, op. cit., pp. 336–38, and D. Beetham, 'Key Principles and Indices for a Democratic Audit', in D. Beetham (ed.), op. cit., pp. 6–24.

⁹ S. M. Lipset, 'The Centrality of Political Culture', in L. Diamond and M. F. Plattner (eds), *The Global Resurgence of Democracy*, Baltimore, Johns Hopkins University Press, 1993, p. 137.

¹⁰ Each of these points is taken from the discussion in L. Diamond, 'Three Paradoxes of Democracy', in L. Diamond and M. F. Plattner (eds), op. cit., pp. 95–107.

cratic legitimacy, whereas consent is the more proper basis of democratic legitimacy.

Moral constraints. On the one hand, moral constraints concern *the present interpretation* of seemingly systemic constraints concerning 'place and circumstance': religion, national identity and other features of a political culture. These factors may involve constraints on democracy arising from what Walzer calls 'thick' conceptions of justice – i.e. those evident in particular times and places and not shared by other political units, at least not quite in the same configuration.¹¹

On the other hand, moral constraints may arise from present desires to realize substantive principles which appear to stand apart from democracy. As I have defined it, democracy involves outcomes that are largely open-ended; aside from restrictions arising from democracy's essential conditions, majorities can decide what they want to decide. When the pursuit of substantive principles other than democracy may *further* restrict the open-endedness of policy outcomes, then we are most clearly in need of guiding principles for recognizing and conducting appropriate value trade-offs.

In a good deal of contemporary political philosophy these questions are resolved by assuming – often implicitly – that democracy is either or both a) a lesser value than social justice, or b) comfortably subsumed under a substantive principle like social justice. In *A Theory of Justice*, Rawls makes it clear that most substantive political questions should be resolved before democratic majorities can get their hands on them.¹² Against this, I propose that we take our rhetoric seriously; if it is true that we are all democrats now, let us

¹¹ M. Walzer, *Thick and Thin: Moral Argument at Home and Abroad*, Notre Dame, Indiana, University of Notre Dame Press, 1994.

¹² J. Rawls, *A Theory of Justice*, Oxford, Oxford University Press, 1972. Although he uses the term democracy often – or at least 'constitutional democracy' – implicitly Rawls accepts the current minimalist version of democracy's meaning rather than the more radical interpretation implicit in my own approach. For present purposes, I wish to side-step the complex issue of the comparative status of democracy and social justice. As Shapiro has written, theorists of democracy and theorists of justice tend to talk past one another, often implicitly prioritizing the value they seek to elucidate. See I. Shapiro, 'Three Ways to be a Democrat', *Political Theory*, Vol. 22, No. 1, pp. 124–51.

grant priority to what rhetorically we commonly argue to be our fundamental political value.

Examples of moral constraints include:

- a strong version of individual liberty (defending the view that the legitimate functions of the state cannot go beyond protection against ‘force, theft and fraud’, to use Nozick’s terms);¹³

- a strong version of distributive equality (which aims for near equality of outcomes in terms of income and wealth holdings);

- ecological sustainability (where the overriding criteria for acceptable policies is their contribution to lessening considerably the ecological impact of social activities); and

- the principled claims of the religious republic, which promote the tenets of a single religion above other principles, and in which the primary source of political legitimacy is seen as being internal to that religion.

COMMENTS ON THE TYPOLOGY

The typology is useful because it suggests a range of points which offer theoretical, and indeed strategic, guidance. Among the key points are the following:

- discussions of trade-offs of democracy in the name of other goods must take into account the full range of types of trade-off involved. These do not just involve present choices between increments of democracy and increments of other pragmatic and/or moral values, but also prior trade-offs which shape enduring facets of living systems and therefore constrain considerably the character of present choices;

- the categories serve as a reminder that any democratic system must involve trade-offs in the name of (all) natural constraints and (some) systemic constraints;

- the character of systemic constraints is such that their presence in a living system is inevitable, though any one element within the total system of systemic constraints is not inevitable. Background morality, in the form of a political

¹³ R. Nozick, *Anarchy, State, and Utopia*, Oxford, Blackwell, 1974.

culture, evolves over time and is constantly subject to change and revision, even if the time-scales involved are hundreds rather than tens of years;

- in terms of present political choices of the pragmatic and moral varieties, what counts as relevant background is not so much natural and systemic constraints as facts, but rather the present interpretation of the character and degree of those constraints.¹⁴ The interpretation of natural and systemic factors may take a pragmatic or moral form;

- slippages between categories in political debate will be rational strategically for political actors, since natural, systemic and pragmatic constraints carry (from greater to lesser degrees, respectively) a sense of inevitability which may render them less controversial – more a matter of neutral assessment of unavoidable circumstances – than proposed moral constraints. Thus, for example, the common desire among political leaders in Britain to avoid the use of referenda is often presented as arising from a mere systemic fact about the traditional character of British parliamentary democracy. We must be aware of political science presentations of moral trade-offs in the name of pragmatic or other constraints. Thus for Machiavellians who want less democracy without being seen to act accordingly, the lesson is to present moral trade-offs as being systemic or natural in character wherever possible;

- where the boundaries of the political unit itself are drawn is a systemic rather than a natural matter, however often it is presented as a matter of immovable natural fact;

- for observers concerned to recognize and to block unnecessary or unjustified trade-offs of democracy, the lessons involve how to spot a spurious trade-off argument, and the need not to assume that non-democratic claims need be anti-democratic claims.

¹⁴ Dobson provides an example: ecological attitudes to the fact of finiteness and scarcity of natural resources do not throw up any one obvious corresponding model of political institutions, though they do constrain the range of choices between sets of institutional arrangements. See A. Dobson, *Green Political Thought*, 2nd edition, London, Routledge, 1995, chapter 3.

FOCUS ON COMPETING MORAL VALUES

The typology and the points that arise from it are essential background if we are to see moral constraints, and proposed moral trade-offs of democracy, in all of their dimensions.

The first democratic response to those who argue that certain moral values must, in some respects, take precedence over democratic outcomes is: go and set out your stall in the democratic marketplace of ideas and do your best to gather converts (and votes). It is by no means uncommon for those proposing change according to a certain principle to regard the change as vital regardless of whether a majority, or democratically elected authorities, likewise regard it as such. Indeed, that may be the exception rather than the rule, though often it can be set aside as a strategic device rather than a substantive claim. When moral proponents argue in this way, though, the democrat may need more conceptual tools to assess their claims. I turn now to what this may involve.

I would suggest a number of categories to help us assess the status of the would-be alternative moral values (that is, values that ought to be realized regardless of whether or not they may be democratically chosen).¹⁵ For the democrat, this involves accepting, as a working hypothesis, the possibility that there may be values that are superior to democracy, either in general or in certain circumstances; and, therefore, that there may be legitimate grounds for trading-off some increment of democracy in the name of that alternative value. By locating various moral values in these categories, we can gain an initial insight into (so to speak) their conceptual distance from democracy. In this way we can, for example, assess the degree of incompatibility between achieving democracy and the other moral value. The questions to ask are as follows.

¹⁵ In this section I draw on work by Dahl and Goodin, though I reinterpret and add to their accounts of (respectively) democracy's internal and external values and the nature of political trade-offs. See Dahl, *op. cit.*, pp. 163–92, and R. E. Goodin, 'Political Ideals and Political Practice', *British Journal of Political Science*, Vol. 25, 1995, pp. 37–56.

1) Is the alternative value a *permanent essential precondition* of democracy? Or, in other words, is it in fact *internal* to democracy?

2) Is the alternative value a *temporarily essential precondition* of democracy? If so, then we can say that it is internal to democracy for a limited period.

3) Is the alternative value linked conceptually to democracy's essential preconditions, though not itself expressing an essential precondition? If so, we can call it *semi-external* to democracy.

4) Is the alternative value deducible directly from the *root value* (or metaprinciple) of democracy, namely political equality?

5) Is the alternative value one that has no links to either democracy's essential preconditions or root value? If so, it is a value that is strictly *external* to democracy.

6) Is the alternative value external to democracy as in 5), but one which represents an interpretation of inevitable extra-democratic elements of a living political system (in other words, it is an *interpretation of the constraints arising from place and circumstance*)?

In short, these categories require us to think carefully about the character of the moral value proposed as a constraint on democracy. In essence, we must consider its relationship to democracy's preconditions and/or root values. The only exception is that of competing values which represent an interpretation of inevitable constraints on democracy arising from place and circumstance. Although the categories are presented as if only 'yes or no' answers can be given for any proposed value, in reality what we must ask is: 'to what extent can a compelling case be made for the alternative value to be [internal to democracy, etc.] . . . ?' Further, a given alternative value may figure in more than one of the categories. So, for example, we might ask: 'to what extent can a compelling case be made for strict distributive equality to be either or both a value internal to democracy or deducible directly from democracy's root value – or, for it to be an unavoidable extra-democratic value in a given time and place?'

To the extent that an (apparently) alternative value falls wholly into categories 1) or 2) – permanent and temporarily

essential preconditions – no trade-off with democracy is required. The alternative value is not, in fact, alternative or competing, but only appeared to be so. Categories 3) and 4) – semi-external and root values – represent values which do compete with democracy *up to a point*.

Values that fall into category 5) – external – are truly competing values. With them, we must ask what is *their* root value, where does it come from, and why should its proponents suppose it superior to democracy? For values that fall into category 6) – interpretation of place and circumstance – the focus is somewhat different. For them, we must try to assess how the claims concerned measure up to the known facts about the history and culture of the political unit in question. As with category 5), careful interrogation is essential, since a genuine trade-off of a real measure of democracy is involved in accepting the legitimacy of claims made on behalf of the competing value.

Can these guidelines help us when confronted with proposed trade-offs of some measure of democracy? I will pursue this question with respect to individual liberty, distributive equality, ecological sustainability and the religious republic. These are illustrative examples only. I deal with them far too briefly to make anything more than tentative suggestions.

Example 1: individual liberty. Some of what libertarians like Nozick¹⁶ seek is in fact internal to democracy, and thus fits our category 1). However, those sympathetic factors internal to democracy – because they are permanent essential preconditions of democracy – are limited to such guaranteed freedoms as those of speech and association. As Beetham notes, 'Of course not all individual rights are *democratic* rights, but without the guaranteed right of all citizens to meet collectively, to have access to information, to seek to persuade others, as well as to vote, democracy would be meaningless'.¹⁷ But this limited degree of compatibility between the two values ends when the strongly anti-redistributive goal of libertarians clashes with the democratic preconditions of equal access to education and health care provision. To quote

¹⁶ op. cit.

¹⁷ Beetham, 'The Limits of Democratization', loc. cit., p. 56.

Beetham again, the latter preconditions concern 'the capacities and opportunities that people need if they are to exercise their legally established rights'.¹⁸

It also clashes with the root value of democracy in terms of the potential acceptance of vast resource inequalities within the *demos*. Turning the point around slightly, the social preconditions of democracy require taxes, the root value of democracy requires fair taxes, but progressive taxes (or even any taxes at all) offend the separate root value of libertarians. Further, the libertarian root value – inviolable individual rights, especially to justly-acquired property – is arguably less defensible than the root value of democracy. Nozick, for example, simply posits these strong individual rights without offering a positive argument as to why we ought to accept them.¹⁹

Despite its weakness in comparison to the root value of democracy, the libertarian root value is a *universal* value; it cannot be other than a value which appeals to us regardless of era or location. As such, it rules itself out for consideration in terms of other categories of potential trade-offs of democracy, namely category 2) – temporarily essential preconditions – and category 6) – interpretation of constraints of place and circumstance. Hence, in sum, up to a point no trade-off is required between libertarianism and democracy; beyond that point none of the reasonable bases for serious consideration of trade-offs applies.

It should be noted, however, that libertarians do have resources to call upon to fight their corner *within* operating democratic procedures. In a democratic society, citizens presumably will be receptive to arguments to extend further freedoms that, in the form of freedom of speech and association, are intrinsic parts of democratic procedures themselves. They will also be receptive to arguments about individual autonomy and self-government. The trick for libertarians will be to allay doubts arising from the apparent weakness of their argument in terms of the root value of democracy. Be that as it may, there is no case for an extra-democratic trade-off.

¹⁸ *ibid.*, p. 59.

¹⁹ *op. cit.*

Example 2: distributive equality. Here, the alternative value to be considered is a strong version of distributive equality, which I define in terms of its requirement for near-equal substantive outcomes in terms of wealth holdings in particular. Like libertarianism, there is a limited extent to which this principle is internal to democracy, as one of the latter's permanent essential preconditions. This compatibility is limited to equalization required for universalizing adequate citizen access to education and health care.

The strong principle of distributive equality may offend to a degree against the preconditions of speech and association freedoms; but only fairly weakly, since these freedoms are not likely to be much undermined. Further, the link between this principle and democracy's root value may not be as strong as may at first appear to be the case. Arguably, each interprets the root value quite differently; distributive equality demands a profound equalization of citizens' means, while democracy's is to treat citizens with equal respect in more clearly procedural terms.

As with libertarianism, the root value of strong distributive equality makes a universal claim, and hence cannot be considered as a legitimate source of trade-offs under other categories. So, in sum, we have a limited area in which the competing values overlap, and therefore where no trade-off need be considered; an exploitable but ultimately weak link to democracy's root value; and beyond this, no grounds for considering a legitimate trade-off are available. As with libertarianism, however, the link with democracy's root value provides grounds for advocates of strong distributive equality to put their case with some effectiveness within operating democratic processes. Citizens will recognize, or can be persuaded to recognize, the links between what makes democracy distinctive and valuable and what advocates of strong distributive equality are attempting to achieve.

Example 3: ecological sustainability. Strong versions of ecological sustainability suggest that prevailing patterns of economic, social and political activity systematically ignore the limits of the earth's carrying, productive and absorbent capacity. As such, in the strongest versions at least, they threaten the imminent demise of civilization as we know it.

On the face of things, ecological sustainability is a poor candidate for potential trade-offs with democracy. There is a case for its inclusion in category 3), with a class of environmental rights attached to democracy's health care rights, but the strength of this case is at best ambiguous.²⁰

Further, the ecological root values of sustainability are far removed from the root value of democracy, and more clearly involve committing the naturalistic fallacy in deriving norms from facts about the natural world.²¹

However, to the extent that the case for ecological sustainability is compelling, so too is its claim to fit our category 2) – as a temporarily essential precondition of democracy. To that extent, the case for trading-off some democracy in order to institute sustainability is one that must be taken seriously. Given that greens are more often accused of being anti-democrats than are libertarians or socialists, that is perhaps a surprising conclusion, but it works if the categories which guide our discussion are adequate to the task.

I argued in outline above that libertarians and strong egalitarians must simply fight their corner within democratic processes (one might add that, since elements of each are internal to democracy, this may initially involve fighting for democracy to be more fully realized). Political ecologists ought to do the same, though I have suggested that they may have less scope for drawing upon conceptual resources internal to democracy (though they would by no means lack such resources). But in the case of ecological sustainability, there is the stronger, external sense in which democratic systems may perish if the fears that give rise to this ideal (or imperative) are well-founded. Scientific uncertainty bedevils that topic, of course, but there is a strong case for adopting the 'precautionary principle' (desist unless you are sure your

²⁰ For an effort to derive the appropriate precondition, see M. Saward, 'Must Democrats be Environmentalists?', in B. Doherty and M. de Geus (eds), *Democracy and Green Political Thought*, London, Routledge, 1996, pp. 79–96.

²¹ However, if justice and autonomy were regarded as the root values of both ecology and democracy, then bringing other animals and life-forms into the *demos* with humans would give us a radically altered picture of democracy – a truly green democracy? See R. Eckersley, 'Greening Liberal Democracy', in B. Doherty and M. de Geus (eds), *ibid.*, pp. 212–36.

actions will not contribute to or cause major obstacles to sustainability) in any case.

Example 4: the religious republic. This is where the dominant religion is entrenched within the legal and political structure of a political unit in some more or less permanent manner. Clearly this involves trading-off democracy, often to a considerable degree. Recently, for example, something like one-third of nominated candidates for the Iranian national elections were rejected by the Islamic Guardian Council because their Islamic credentials were perceived to be lacking in some way. The Guardian Council also 'ensures that all legislation is compatible with Islamic law.'²² The root value of the religious republic grants privileged roles to religious leaders: it at best represents a very particular interpretation of democracy's root value, so that in general we can say there is little overlap. The religious republic idea is even more clearly not a part of democracy's essential preconditions, permanently or otherwise, since strong guarantees for freedom of association would militate against favouring greater freedom for those who profess a particular religious outlook.

However, it does represent an interpretation of inevitable extra-democratic constraints (an interpretation of the constraints of place and circumstance) on living democratic systems. We must be careful with the interpretation – even in Iran there is much dispute between pluralists and *integristes* as to how much democracy is compatible with Islamic principles – but the raw facts of religious composition of the country suggest at least that there is some deeply systemic feature to be interpreted, so to speak. As Beetham²³ and Weale²⁴ point out, the *source* of extra-democratic commands can render them genuinely authoritative and a part of political legitimacy, taking political systems in the round. Accordingly, in our present terms, the religious authorities may represent a legitimate source of interpretations of inevitable constraints of place and circumstance.

²² See S. T. Hunter, 'Iran', in S. M. Lipset et al. (eds), *The Encyclopedia of Democracy*, Washington, DC and London, Congressional Quarterly and Routledge, 1995, p. 631.

²³ D. Beetham, *The Legitimation of Power*, London, Macmillan, 1992.

²⁴ A. Weale, 'The Limits of Democracy', in A. Hamlin and P. Pettit (eds), *The Good Polity*, Oxford, Blackwell, 1989, pp. 35–48.

So, perhaps surprisingly, advocates of (for example) Islamic republics for clearly Islamic societies, or Hindu republics for Hindu societies, must be taken seriously by democrats as trade-off candidates.²⁵ As with ecological sustainability, a much fuller knowledge of the facts of cases would be needed before the democrat would accept the legitimacy of some trade-off. However much they may scorn historians and anthropologists, political theorists will have to regard their knowledge as essential to formulating and responding to the relevant moral questions.

MORAL OR PRAGMATIC TRADE-OFFS?

Our preliminary conclusion is that trading off some increment of democracy may be legitimate in cases where the proposed alternative values represent either a) temporary essential preconditions of democracy, or b) compelling, and historically supportable, interpretations of the constraints of place and circumstance. No other grounds were seen to give rise to a compelling case for trading-off democracy. It seems, then, that there are grounds upon which moral constraints external to democracy (for the most part) may legitimately constrain democracy.

However, this picture looks rather different if we ask: exactly why do such categories of principles seem to provide such a strong case? Perhaps the key question to ask in seeking to fix the terms of such trade-offs is: will *not* trading-off an increment of democracy threaten fundamentally the continued viability of the political unit in question? Some advocates

²⁵ Walzer's comments, although not concerned with religion as such, are apposite in this context. He writes: 'Were I to be invited to visit China and give a seminar on democratic theory, I would explain, as best I could, my own views about the meaning of democracy. But I would try to avoid the missionizing tone, for my views include the idea that democracy in China will have to be *Chinese* – and my explanatory powers do not reach to what that means . . . The principle of consent requires this much at least: that Chinese democracy be defined by the Chinese themselves in terms of their own history and culture . . . They must make their own claims, their own codifications (a Chinese bill of rights?), and their own interpretive arguments'. See Walzer, *op. cit.*, pp. 60–61.

of ecological sustainability, for example, would answer positively, citing the fact that included in the package of existing practices that are unsustainable are the freedoms associated intrinsically with democracy itself.²⁶ The advocate of the religious republic may cite the dangers to social stability if open criticism of deeply-rooted and widely-shared religious doctrines is protected, as the freedoms intrinsic to democracy would allow.

In other words, what is ultimately at stake is the survival of the political unit; therefore, I would suggest that what is actually recommended is a pragmatic trade-off of democracy, either on a temporary or a relatively permanent basis, in the name of a classic pragmatic value: social stability and viability. A seeming moral argument takes on a rather more clearly pragmatic hue, though perhaps the word pragmatic understates (for example) the urgency of necessary changes if the arguments of deep greens are right.

In the case of the religious republic, one might take the view that some change in the boundaries of the political unit could be democratically acceptable, and so the proposed constraints, be they moral or pragmatic in character, need not be accepted by democrats in the name of preserving that political unit in its present form, with its present boundaries. However, here we run up against what is arguably *the* problem that cannot be resolved satisfactorily within democratic theory: how can we distinguish, on democratic grounds, between competing claims for the location of the boundaries of discrete political units (in this case, the nation-state)? The prevailing answer is that we cannot; that democrats must simply accept that history – wars, conquest, compromise and the strength of extra-democratic group identities – provide us with political units,²⁷ and the task of democrats is to see that

²⁶ See for example W. Ophuls and A. S. Boyan, *Ecology and the Politics of Scarcity Revisited*, New York, W. H. Freeman & Co., 1992.

²⁷ The classic presentation of this view is F. Whelan, 'Prologue: Democratic Theory and the Boundary Problem' in J. R. Pennock and R. W. Chapman (eds), *Nomos XXV: Liberal Democracy*, New York and London, New York University Press, 1983, pp. 13–47. See also the discussion in M. Canovan, *Nationhood and Political Theory*, Cheltenham, UK, and Brookfield, USA, Edward Elgar, 1996, chapter 3.

those units are governed democratically to the maximum degree feasible. With this route substantially closed, the democrat must backtrack to consider seriously the pragmatic claims, presented as moral imperatives, of the likes of ecologists and religious republic advocates about the need to trade-off some increment of democracy.

The key task of the democrat in such cases is twofold. First, one must see that as little democracy is traded-off as possible in the circumstances, and ask in particular if it is a core component, or a more peripheral one, that is being diluted. For example, retaining otherwise fair elections but placing some restrictions of freedom of association may be more acceptable than leaving freedom of association but holding no, or utterly rigged, elections. And secondly, one must interrogate the claims, factual and interpretive, of those who would propose the trade-offs, drawing upon the full array of historical, scientific and anthropological evidence available. This is a difficult task, no doubt, but an essential one in a world of fragile democracies where sometimes a highly circumscribed democracy may be the best that can be hoped for.²⁸

²⁸ The author wishes to thank the participants at the MANCEPT conference on 'New Directions in Democratic Theory', University of Manchester, March 1996, for their comments on an earlier version of this article.